

**GOVERNMENT OF ANDHRA PRADESH**  
**A B S T R A C T**

Public Servants – Agricultural Marketing Department – Allegations of corruption against Sri Ch. Ramachandraiah, the then Secretary Grade-III(Retired), AMC, Nagaram – Placed on defence before Tribunal for Disciplinary Proceedings – Further action dropped – Orders – Issued.

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**AGRICULTURE & COOPERATION (VIG.II) DEPARTMENT**

G.O.Rt.No. 467

Dated: 12-04-2010

Read the following:-

1. From D.G., ACB, Hyd. Lr.No.155/RCO-REG/2000, dt.04-11-2000.
2. Govt.Memo No.2869/Mktg.III(2)/2001-1, dt.22-03-2001.
3. From D.G., ACB, Hyd. Lr.No.155/RCO-REG/2000, dt.08-05-2001.
4. Govt.Memo No.SP.837/Vig.I(2)/2001-1, dt.31-07-2001.
5. From III Member, T.D.P., A.P., Hyderabad Inquiry Report dt.12-12-2002 in T.E.C.No.23 of 2002.
6. Govt. Memo No.SP.837/Vig.II(3)/2001-12, dt.17-11-2003.
7. Show Cause Notice No.X(2)422/2003, dt.05-03-2004 of C&DOAM, Hyderabad.
8. From A.P.A.T.Order dt.26-05-2004 in O.A.No.3183/2004.
9. From A.P.A.T.Order dt.01-02-2008 in O.A.No.3183/2004.
10. Govt.MemoNo.14/Vig.II(1)/2001-3, dt.23-10-2008.
11. From High Court of A.P. Order dt.20-08-2009 in W.P.No.16015/2009.
12. From Sri Ch. Ramachandraiah, Special Grade Secretary, AMC, Martur, Prakasam District, Representation dt.29-08-2009.

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**ORDER:**

On receipt of credible information that the officials of Price Support Scheme, Copra Purchase Centre, Mamidikuduru were collecting mamools from Copra farmers who were coming to the centre for the sale of Copra, the Anti Corruption Bureau conducted a surprise check and later investigated the matter and submitted a final report holding that Sri Ch. Ramachandraiah, Secretary, A.M.C., Nagaram, East Godavari District along with other officials of Oilfed/NAFED have indulged in illegal and corrupt activities of Copra Purchase Centre, Mamidikuduru and failed to maintain absolute integrity, devotion to duty and misused their official position and power.

2. After considering the report of Anti Corruption Bureau, Sri Ch. Ramachandraiah, Secretary, A.M.C., Nagaram, East Godavari District and (2) two other officials of Oilfed were placed on defence before the Tribunal for Disciplinary Proceedings. After conducting the inquiry, the Tribunal for Disciplinary Proceedings furnished the Inquiry Report that the Charged Officer that Sri Ch. Ramachandraiah, Secretary, A.M.C., Nagaram was not found guilty of misconduct and recommended that he may be fully exonerated from the charges framed against them.

3. After examining the matter, Government have disagreed with the findings of the Tribunal for Disciplinary Proceedings. In the reference 6<sup>th</sup> read above, while furnishing the inquiry report and the disagreement factors, the Commissioner & Director of Agricultural Marketing, Hyderabad was requested to call for the explanation, if any, to be offered thereon from Sri Ch. Ramachandraiah, Secretary, A.M.C. and refer the matter to Government after arriving at a provisional conclusion in the matter.

4. On the above, the Commissioner & Director of Agricultural Marketing, Hyderabad has issued a Show Cause Notice on Sri Ch. Ramachandraiah, Secretary, A.M.C. with a direction to explain as to why a punishment of dismissal from service should not be imposed against him for the lapses committed by him. The individual instead of submitting of explanation to the Show Cause Notice filed an O.A.No.3183/2004 before A.P. Administrative Tribunal against the Show Cause Notice. The A.P. Administrative Tribunal in its order dt.26-05-2004 stayed further proceedings in the matter.

5. The A.P.AdministrativeTribunal in its judgment dt.01-02-2008 in the above O.A.No.3183/2004 have set aside the proceedings issued by the Govt. in Memo No.SP/837/Vig.I(3)/2001-12, dt.17-11-2003 and consequential show cause notice issued by the Commissioner & Director of Agricultural Marketing, Hyderabad in No. X(2)422/2003, dt.5-3-2004 and exonerate the applicant from the alleged misconduct. In this regard, the Commissioner & Director of Agricultural Marketing, Hyderabad was requested to file an appeal in A.P.High Court against the above orders dt.1-2-2008 of A.P. Administrative Tribunal in O.A.No.3183/2004. Accordingly, the Commissioner & Director of Agricultural Marketing, Hyderabad filed W.P.No.16015/2009 before A.P.High Court.

(PTO)

6. The High Court of Andhra Pradesh, in its judgment dt.20-08-2009 in W.P.No.16015/2009 have ordered that the said proceedings of the Government dt.17-11-2003 shall be treated as show cause notice and on receipt of the explanation from the respondent/charged officer within the time stipulated above, the Govt. shall consider its provisional conclusion in the light of the explanation submitted by the respondent/charged officer and pass final orders with regard to the said disciplinary enquiry within as further period of four weeks thereafter.

7. In the light of the above orders of A.P.High Court, Sri Ch. Ramachandraiah, formerly Secretary, A.M.C., Nagaram and Special Grade Secretary, A.M.C., Martur has submitted a representation to Government requesting to drop further action against him.

8. After going through the explanation and facts and preponderance of probabilities of the case, Government have observed that the allegations could not be substantiated against A.O.-3, Sri Ch. Ramachandraiah except the fact that Rs.9,500/- was seized from A.O.-1 Sri N. Satyanarayana, Field Officer, Oilfed and A.O.-2 Sri K.J.Prabhakar Rao, Divisional Manager, A.P.Oilfed when considered in the light of witnesses of PW1, Security Guard and PW6, Sri K. Satyanarayana, a private person whose evidence is crucial in this case have turned hostile. As to his role in the allegation that 'mamuls' were collected and the accused had a share in the amounts at the end of the day was not substantiated conclusively in view of the following explanation given by the accused officer which cannot be brushed aside. In his explanation, accused stated that it is only in view of the unreasonable attitude on the part of the government in taking different view in the absence of evidence in the course of regular enquiry and relying upon the statement made before mediators at the time of preliminary enquiry / investigation is arbitrary, illegal and the same is not permissible under law. Here it is only that absolutely there is no evidence whatsoever to prove the charge. It is only basing on mere presumptions and assumptions of the Government, the report is now being differed and in the absence of any evidence, the question of differing with the report of the Tribunal for Disciplinary Proceedings does not arise".

9. After examining the material made available and the evidence in establishing the charge on the file of the Tribunal Enquiry Case No.23/2002 dated:12-12-2002 against the accused Sri Ch. Ramachandraiah, the then Secretary Grade-III, A.M.C., Nagaram, as to his role in the circumstances and process involved in the price support scheme operations for Copra at purchase centre conducted by the officials of NAFED and OILFED at A.M.C., Mamidikuduru of East Godavari District and based on the material evidence available in the records, Government have agreed with the findings of the Tribunal for Disciplinary Proceedings and decided to drop further action against Sri Ch. Ramachandraiah, formerly Secretary, A.M.C., Nagaram and Special Grade Secretary(Retired), A.M.C., Martur, Prakasam District and concluded accordingly.

10. As such, Government hereby drop further action against Sri Ch. Ramachandraiah, formerly Secretary, A.M.C., Nagaram and Special Grade Secretary(Retired), A.M.C., Martur, Prakasam District and concluded accordingly.

11. The Commissioner and Director of Agricultural Marketing, Hyderabad shall take necessary action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**K. R. KISHORE**  
**PRINCIPAL SECRETARY TO GOVERNMENT**

To  
Sri Ch. Ramachandraiah, formerly Secretary, AMC, Nagaram and  
Special Grade Secretary(Retired), A.M.C., Martur, Prakasam District.  
(Through: The Commissioner & Director of Agricultural Marketing, A.P., Hyderabad)

Copy to:-  
The Commissioner & Director of Agricultural Marketing, A.P., Hyderabad.  
The Director General, Anti Corruption Bureau, Hyderabad.  
The Secretary, A.P.Vigilance Commissioner, Hyderabad(1642/VC.I(2)2000)  
Sc/Sf.

// FORWARDED :: BY ORDER //

SECTION OFFICER